

POLICE/SHERIFF'S DEPARTMENT		GENERAL ORDERS	
SUBJECT: Accident Investigation		NUMBER: 2-20	
EFFECTIVE DATE: July 1, 1999		REVIEW DATE:	
AMENDS/SUPERSEDES: GO 2-20, June 1988		APPROVED: _____ Chief of Police/Sheriff	
CALEA STANDARDS: 61.1, 61.2		VLEPSC STANDARDS: ADM.25.07, 25.09; OPR.07.04, 07.07-.11	

NOTE

This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

INDEX WORDS

Accident
Traffic accident

I. POLICY

An objective of the department is the reduction of motor vehicle accidents. To accomplish this, the department performs a variety of functions such as providing emergency service to the injured, protecting the accident scene, conducting accident investigations and follow-ups, preparing reports, and taking proper enforcement action. The purpose of accident investigation is to determine the cause of an automobile crash and use the information to develop enforcement that will reduce accidents. Accident reports are used by the Department of Motor Vehicles, the Department of State Police, and the Department of Transportation at the state level, and by the town locally to study the frequency of crashes at a given location and time, the causes, and the road conditions that existed at the time. The reports are also used to develop selective enforcement programs, engineering studies, and to promote street and highway safety.

II. PURPOSE

The purpose of this policy is to establish guidelines for the proper handling of traffic accidents and for the collection and use of data that will reduce automobile accidents resulting in property damage, injury, or death.

III. PROCEDURES - General

A. Accident report and investigation, general

1. *Virginia Code* requirements concerning the reporting of traffic accidents include:
 - a. § 46.2-371: The driver of any vehicle involved in an accident resulting in death or injury shall immediately notify the law-enforcement officials.
 - b. § 46.2-373: A law-enforcement officer investigating an accident resulting in injury or death or total property damage to an apparent amount of \$1000 or more shall make a written report of it to DMV.
 - c. § 46.2-373: Officers who investigate an accident for which a report must be made, either at the time of and at the scene of the accident, or thereafter and elsewhere, by interviewing participants or witnesses, shall within 24 hours after completing the investigation forward a written report of the accident.
2. An officer shall respond to and prepare a report of accident involving any of the following:
 - a. Death or injury.
 - b. Property damage in excess of \$1000.
 - c. Hit and run.
 - d. Impairment due to alcohol and drugs.
 - e. Hazardous materials.
 - f. Any accident involving town/county property, vehicles, equipment, or facilities.
3. Officers shall also be assigned to respond to any accident involving disturbances between drivers/passengers or which create major traffic congestion as a result of the accident or where vehicles are damaged to the extent that towing is required. Patrol vehicles may be assigned to any other accident, not listed above, to assist persons involved with information

exchange. Time permitting, officers may investigate and report these accidents as supervisors direct.

B. Accident scene responsibilities

The first officer to arrive at an accident scene shall perform the following:

1. Administer emergency medical care (basic life support measures) pending arrival of rescue personnel. ***[This procedure presumes that officers and supervisors are certified to perform emergency medical care.]***
2. Summon additional help as required (officers, rescue, tow truck).
3. Protect the accident scene.
4. Preserve short-lived evidence (broken parts, skid marks).
5. Establish a safe traffic pattern around the scene.
6. Locate witnesses and recording key accident information.
7. Expedite removal of vehicles, persons, and debris from the roadway except for fatal accidents.

C. The officer assigned to an accident shall have the responsibility and authority to request assistance from any other officers as needed. He or she becomes the primary investigating officer in charge at the scene unless the supervisor deems it more appropriate to assign another officer these responsibilities.

D. In case of accidents that occur on private property, accident reports need not be filled out if property damage does not exceed \$1000, unless the supervisor directs. ***[Note: Accidents on private property are not reported to DMV.]***

E. In case of extremely inclement weather where an accident involves only property damage, the dispatcher or officer may, with the supervisor's approval, perform the following:

1. Obtain information over the phone to complete the accident report and request that the involved drivers come to the department and file a report in person within 48 hours of the incident.
2. Complete a report showing the name, address, operator license number, and telephone number of each driver.

IV. PROCEDURES - Accident scene

A. Collecting information

1. At the scene of the accident, the investigating officer shall gather appropriate information for a report. Information to be collected at the scene may include, but is not limited to, the following:
 - a. Interview principals and witnesses and secure necessary identity/address information.
 - b. Examine and record vehicle damage.
 - c. Examine and record the effects of the accident on the roadway or off the roadway on private or public property.
 - d. Take measurements as appropriate.
 - e. Take photographs as appropriate.
 - f. Collect and process evidence.
 - g. Exchange information among principals.

B. Follow-up activities

1. Follow-up activities which may be necessary include the following:
 - a. Obtain and record formal statements from witnesses.
 - b. Reconstruct the accident.
 - c. Submit evidentiary materials for laboratory examination.
 - d. Prepare accident or offense reports to support charges arising from the accident.
2. In a particularly serious accident involving severe injuries, fatalities, or multiple vehicles, it may be necessary to summon expert or technical assistance from photographers, surveyors, mechanics, physicians, accident crash team specialists, or other specialists. Expert assistance shall be requested through the chief of police/sheriff.

3. At the accident scene, the officer may take immediate enforcement action and issue a Virginia Uniform Summons. In death cases, the commonwealth's attorney may decide the appropriate charge.
4. If the investigating officer concludes that the accident was caused by a person driving under the influence of intoxicants (DUI) and the defendant is still at the scene, the DUI arrest shall be made before transport.
5. If the driver is transported to the hospital before the officer arrives and if the officer later concludes DUI, an arrest warrant shall be obtained. If the driver is hospitalized, then the warrant will be served when the driver is released.
6. In other traffic-related investigations, when the officer leaves the scene of the offense and later identifies an offender or offense, arrest warrants may be obtained. The summons can be issued at the hospital after the accident scene has been processed.

C. Accident scene procedures

1. Upon notification of an accident, the officer assigned shall proceed Code 2 or Code 1 depending on injuries (see GO 2-9). The patrol vehicle shall not be parked at the scene in a manner that will endanger other pedestrians, motorists, or citizens. The officer shall consider using the vehicle as a shield to protect the scene as well as him- or herself. The officer shall leave the vehicle emergency lights on.
2. During periods of reduced visibility or darkness, the officer shall wear a reflector safety vest when investigating the accident. Officers shall use flares (available in each patrol vehicle) to create an illuminated warning pattern to alert other drivers. Note that flares may be dangerous at accidents where hazardous materials are present.
3. In case of fire danger from leaking or ruptured gas tanks or where the accident may involve hazardous materials, the on-scene officer shall summon the fire department. See GO 2-24 for further guidance on handling hazardous materials.
 - a. All patrol vehicles are equipped with a copy of the current emergency response guidebook to aid in identifying vehicles carrying hazardous materials. The guidebook illustrates hazardous materials placards and identifies and describes the relevant hazard, appropriate emergency procedures, and evacuation procedures.

- b. Any officer arriving at the scene of such an accident who sees hazardous materials placards shall immediately summon the fire department. The fire chief will assume control of any scene involving hazardous materials and all officers shall provide support as required. The investigation of the accident shall begin after approval by the fire chief.
- 4. Any property belonging to accident victims shall be protected from theft or pilferage and, if owners are not present, it shall be taken into custody, tagged, and held for safekeeping until the victims claim it.
- 5. § 18.2-324 requires any person clearing a wrecked or damaged vehicle from a highway to remove any glass or other injurious substance dropped upon the highway. Where the quantity of accident debris is too great for the wrecker operator to do this, the town public works services shall be requested. The fire department shall assist in washing down combustible substances. ***[Note: In some localities, private businesses may perform this service.]***
- 6. If either driver is not present at the accident scene, do not assume that it is a hit/run unless further inquiry indicates the possibility. Perform the following actions if the incident appears to be a hit/run.
 - a. As soon as practicable, transmit the description of the vehicle and driver to dispatch, along with the direction of travel and time elapsed since the incident.
 - b. Process the accident scene as a crime scene.

D. Accident report

- 1. A report shall be filed on all accidents that occur on public property within the town/county. Public property is any highway, roadway, street, or public parking lot maintained by the state, county, or town.
- 2. In the event of an accident that occurs on private property, an accident report may be filed if it meets any of the normal reporting criteria (death, personal injury, property damage in excess of \$1000, or involves government-operated vehicles). ***[Note: Accidents on private property are not reported to DMV.]***

E. Disabled vehicles

- 1. Officers shall not push or tow any vehicle with a patrol vehicle unless the patrol vehicle is equipped with a department-approved push bar and the

officer has been trained in its use. *[Note: Some agencies may use push bars on patrol vehicles for this purpose.]*

2. Owing to the risk to radio and emergency equipment, officers shall not connect jumper cables to a patrol vehicle to start a citizen's vehicle. Summon a wrecker if a jump-start is required.
3. Officers shall direct motorists who are low on gas to the nearest station. If completely out of gas and no station in town is open, summon a wrecker on behalf of the motorist.